

**CITY LONG BEACH
CITY COUNCIL AGENDA**

Bonnie Lowenthal, 1st District
Dan Baker, 2nd District
Frank Colonna, Vice Mayor, 3rd District
Dennis Carroll, 4th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk



Beverly O'Neill, Mayor

**TUESDAY, AUGUST 12, 2003
COUNCIL CHAMBER, 5:00 P.M.**

Jackie Kell, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rob Webb, 8th District
Val Lerch, 9th District

Robert E. Shannon, City Attorney

FINISHED AGENDA & MINUTES

Call to Order: 5:00 P.M.

Roll Call - Councilmembers Present: Lowenthal, Baker, Colonna, Kell,
Reyes Uranga, Webb, Lerch.

Absent: Carroll, Richardson.

Also Present: Beverly O'Neill, Mayor
Gerald R. Miller, City Manager
Suzanne Mason, Acting Deputy City Manager
Heather Mahood, Assistant City Attorney
Larry G. Herrera, City Clerk
Rena Tyner, Deputy City Clerk

Mayor O'Neill presiding

Flag Salute, Boy Scout Troop 29 – Bixby Christian Church

Invocation: Reverend Don Keith, Rainbow Center for Spiritual Enrichment

Pet Adoption Program Introduction

ACKNOWLEDGMENTS AND PRESENTATIONS

Presentations by Councilmember Rob Webb, Eighth District, in recognition of community members and organizations for their significant contributions to the Eighth District.

APPROVAL OF MINUTES

ACTION: Approved minutes of August 5, 2003. (Lowenthal/Baker) (7/0 Unanimous)
(Absent: Carroll, Richardson)

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

CONTINUED HEARINGS:

1. DEPARTMENT: ~~FINANCIAL MANAGEMENT~~

~~SUBJECT: Application of 2706 South Street, LLC, dba The Alibi, for a Permit for a Pool Hall with Three Pool Tables at an Existing Bar/Tavern/Lounge at 2706 South Street. (District 9)~~

~~SUGGESTED ACTION:~~

~~Receive supporting documentation into the record and conclude the public hearing.~~

~~Grant the permit, with or without conditions; or deny the permit.~~

ACTION: Withdrawn from agenda.

2. DEPARTMENT: PLANNING AND BUILDING

SUBJECT: Consideration of the adoption of an Emergency Ordinance relating to an extension of the moratoriums limiting the development of self-storage facilities. (Ordinance amending Ordinances No. C-7817 and C-7818 relating to the temporary limitation of certain land uses; declaring the urgency thereof; and declaring that this ordinance shall take effect immediately.) (District 6, Citywide) (Doc. 1)

SUGGESTED ACTION:

Receive supporting documentation into the record, conclude the hearing, and declare emergency to exist.

Declare Ordinance read, adopted as read, and laid over to the next regular meeting of the City Council for final reading.

ACTION: Received supporting documentation into the record, concluded the hearing, declared emergency to exist, and declared **Ordinance No. C-7866** read, adopted as read, and laid over to the next regular meeting of the City Council for final reading. (Reyes Uranga/Webb) (6/0 Unanimous)
(Absent: Lowenthal, Carroll, Richardson)

HEARINGS:

3. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Application of Long Beach Masonic Lodge No. 327 for a Permit for a Social Club at 3610 Locust Avenue. (District 8) (Doc. 2)

SUGGESTED ACTION:

Receive supporting documentation into the record and conclude the hearing.

Grant the permit, with or without conditions; or deny the permit.

ACTION: Received supporting documentation into the record, concluded the hearing, and granted the permit with conditions. (Webb/Baker) (5/0 Unanimous)
(Absent: Lowenthal, Carroll, Kell, Richardson)

4. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Application of Cowboy Country Two, Inc., dba Cowboy Country, for a Permit for Entertainment With Dancing by Patrons and a Permit for a Pool Hall at an Existing Bar/Tavern/Lounge at 3321 South Street. (District 9) (Doc. 3)

SUGGESTED ACTION:

Receive supporting documentation into the record and conclude the hearing.

Grant the permit, with or without conditions; or deny the permit.

ACTION: Received supporting documentation into the record, concluded the hearing, and granted the permit with conditions. (Lerch/Baker) (5/0 Unanimous)
(Absent: Carroll, Kell, Richardson, Webb)

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM CITY CLERK

Opportunity given to first 10 citizens who have submitted speaker cards in writing to the City Clerk to address the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

Lee Glaze, spoke regarding the need for volunteers for the Miller Children's Hospital mural project.

Paul Chesney, regarding police activity in the vicinity of 1845 Locust Avenue.

Gary Biggerstaff, regarding proposal for the City of Long Beach to host the 2007 Superbowl.

Bill Bishop, regarding use of disabled parking placards.

Thomas Murphy, regarding soda machines in high schools.

Harvey Cochran, announced community events.

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (5 - 15) (Pulled for discussion Items 5, 6, 10, 11, and 12)

5. DEPARTMENT: CITY CLERK

SUBJECT: Revision of City Clerk Department Conflict of Interest Code to include
Downtown Long Beach Associates. (Doc. 36)

SUGGESTED ACTION:

Receive and approve amendment.

ACTION: As recommended. (Colonna/Lowenthal) (7/0 Unanimous) (Absent:
Carroll,Richardson)

Speaker: Thomas Murphy

6. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Schedule for the Fiscal Year 2004 Budget Workshops and Hearings.
(Citywide) (Doc. 37)

SUGGESTED ACTION:

Set the schedule for the workshops and hearings on the FY 04 Proposed Budget to hear presentations by the Mayor, City Manager, and City Department representatives and to provide an opportunity for all interested persons to be heard regarding the Proposed Budget.

ACTION: As recommended. (Colonna/Lowenthal) (7/0 Unanimous) (Absent:
Carroll,Richardson)

Speaker: Thomas Murphy.

7. DEPARTMENT: LAW

SUBJECT: Compromise and Release. (Doc. 4)

SUGGESTED ACTION:

Authorize City Attorney to submit for approval by Workers' Compensation Appeals Board, and if so approved, authority to pay \$ 14,650 in compliance with Appeals Board order for claim of George Bartlow.

ACTION: As recommended. (Baker/Lowenthal) (7/0 Unanimous)
(Absent: Carroll,Richardson)

8. DEPARTMENT: LAW
SUBJECT: Stipulations with Request for Award. (Doc. 5)
SUGGESTED ACTION:
Authorize City Attorney to submit for approval by Workers' Compensation Appeals Board, and if so approved, authority to pay \$44,030 in compliance with Appeals Board order for claim of Barry Jansen.
ACTION: As recommended. (Baker/Lowenthal) (7/0 Unanimous) (Absent: Carroll,Richardson)
9. DEPARTMENT: LAW
SUBJECT: Tentative Settlement of Lawsuit entitled Martha Hosier against the City of Long Beach. (Doc. 6)
SUGGESTED ACTION:
Authorize City Attorney to pay sum of \$25,000 in full settlement.
ACTION: As recommended. (Baker/Lowenthal) (7/0 Unanimous) (Absent: Carroll,Richardson)
10. DEPARTMENT: PARKS, RECREATION AND MARINE
SUBJECT: Agreement With Long Beach Unified School District related to Regional Occupational Program Instruction. (Citywide) (Doc. 38)
SUGGESTED ACTION:
Authorize the City Manager to execute agreement allowing access to City facilities for the purpose of providing Regional Occupational Program instruction in horticulture and landscaping for a term of three years with one, three-year option to renew.
ACTION: As recommended. (Lowenthal/Colonna) (7/0 Unanimous) (Absent: Carroll,Richardson)
Speaker: Thomas Murphy
11. DEPARTMENT: POLICE
SUBJECT: Monthly Report on Supplemental Law Enforcement Services funding. (Citywide) (Doc. 39)
SUGGESTED ACTION:
Receive and file report.
ACTION: As recommended. (Lowenthal/Webb) (7/0 Unanimous) (Absent: Carroll,Richardson)
Speaker: Thomas Murphy

12. ADVISORY BODY: PLANNING COMMISSION

SUBJECT: Mills Act Historic Property Contract for Bembridge House at 953 Park Circle Drive. (District 1) (Doc. 40)

SUGGESTED ACTION:

Authorize City Manager to execute contract with Long Beach Heritage.

ACTION: As recommended. (Lowenthal/Baker) (7/0 Unanimous)
(Absent: Carroll, Richardson)

Speaker: Thomas Murphy

13. DEPARTMENT: VARIOUS

SUBJECT: Minutes for filing: (Docs. 7-9)

Civil Service Commission, July 23 and 30, 2003
Harbor Commission, July 28, 2003

SUGGESTED ACTION:

Receive and file.

ACTION: As recommended. (Baker/Lowenthal) (7/0 Unanimous) (Absent: Carroll, Richardson)

14. DEPARTMENT: CITY CLERK

SUBJECT: Claims for Damages. (Docs. 10-33)

SUGGESTED ACTION:

Refer to City Attorney the damage claims received between July 31, 2003 and August 7, 2003.

ACTION: As recommended. (Baker/Lowenthal) (7/0 Unanimous) (Absent: Carroll, Richardson)

15. DEPARTMENT: POLICE

SUBJECT: Alcoholic Beverage License Applications (Person-to-Person Transfers)
(Docs. 34-35)

- A. Application of Yong Jin Kim and Youn Hee Kim, dba Niko Niko Sushi, for a Person-to-Person Transfer of an On-Sale Beer and Wine for Bonafide Eating Place License at 5735 East Pacific Coast Highway. (District 3)
- B. Application of Tae Hee Kim and Young Hee Kim, dba Time Square, for a Person-to-Person Transfer of an On-Sale General License at 2950 Clark Avenue. (District 5)

SUGGESTED ACTION:

Receive and file.

ACTION: As recommended. (Baker/Lowenthal) (7/0 Unanimous) (Absent: Carroll, Richardson)

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

16. OFFICE: MAYOR BEVERLY O'NEILL

SUBJECT: Appointments to the Citizen Task Force on Fire Facility Improvements.
(Doc. 41)

SUGGESTED ACTION:

Approve appointments of Don Darnauer; John W. Thomas, AICP; Matthew L. Kinley; Erik Updyke; Harold Omel; John Atkinson; John Deats; Karen Adelseck; Dennis Smith; and Frank Wiggins.

ACTION: As recommended. (Baker/Lowenthal) (7/0 Unanimous) (Absent: Carroll, Richardson)

17. COUNCIL OFFICE: VICE MAYOR FRANK COLONNA, THIRD DISTRICT

SUBJECT: Proposal to exclude any plans for inclusion of the State Route (SR) 47/103 in the I-710 Alternate Plans and that future plans of the SR-47 be referred to the Alameda Corridor Transportation Authority with the route taking a northwesterly direction to connect with Alameda Boulevard. (Doc. 42)

SUGGESTED ACTION:

Request City Council to support.

ACTION: Referred to I-710 Oversight Committee. (Colonna/Lerch) (7/0 Unanimous) (Absent: Carroll, Richardson)

Speakers: Don May
Allen Hose
Linda Ivers

18. COUNCIL OFFICES: COUNCILMEMBER BONNIE LOWENTHAL, FIRST DISTRICT
COUNCILMEMBER DAN BAKER, SECOND DISTRICT
COUNCILWOMAN LAURA RICHARDSON, SIXTH DISTRICT
COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT

SUBJECT: Opposition to Proposition 54. (Docs. 43-44)

SUGGESTED ACTION:

Request City Attorney to prepare resolution in opposition to Proposition 54.

ACTION: As recommended. (Lowenthal/Baker) (6/0 Unanimous) (Absent: Carroll, Richardson)

19. COUNCIL COMMITTEE: COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT, CHAIR, I-710 OVERSIGHT COMMITTEE

SUBJECT: Guiding principles for the development of improvements to the I-710 Freeway. (Doc. 45)

SUGGESTED ACTION:

Concur in recommendation of Committee to receive and file the communication regarding guiding principles for the development of improvements to the I-710 Freeway; and Guiding Principle Number 2 amended to read: "Identify and minimize the cumulative exposure to toxic pollutants and noise exposure for neighborhoods in the affected areas."

ACTION: As recommended. (Reyes Uranga/Lowenthal) (6/0 Unanimous) (Absent: Baker,Carroll,Richardson)

Speaker: Don May

20. DEPARTMENT: FINANCIAL MANAGEMENT

SUBJECT: Fiscal Year 2003 June Budget Performance Report. (Doc. 46)

SUGGESTED ACTION:

Refer report to the Budget Oversight Committee.

ACTION: As recommended. (Colonna/Webb) (6/0 Unanimous) (Absent: Baker,Carroll,Richardson)

Speaker: Thomas Murphy

RESOLUTIONS:

21. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Resolution approving an annual report for October 1, 2003 to September 30, 2004 for the Belmont Shore Parking and Business Improvement Area and declaring its intention to levy the annual assessment for that fiscal year. (District 3) (Doc. 47)

SUGGESTED ACTION:

Adopt Resolution of Intention approving the Annual Assessment Report and setting a date of Public Hearing for September 9, 2003 at 5:00 P.M. regarding the Belmont Shore Parking and Business Improvement Area Assessment Program for October 1, 2003 through September 30, 2004.

ACTION: Adopted Resolution No. C-28224. (Baker/Lowenthal) (6/0 Unanimous) (Absent: Carroll,Richardson) (Abstained: Colonna)

22. DEPARTMENT: COMMUNITY DEVELOPMENT

SUBJECT: Resolution approving an annual report for October 1, 2003 to September 30, 2004 for the Bixby Knolls Parking and Business Improvement Area ("PBIA") and declaring its intention to levy the annual assessment for that fiscal year. (Districts 7,8) (Doc. 48)

SUGGESTED ACTION:

Adopt Resolution of Intention approving the Annual Assessment Report and setting a date of Public Hearing for September 9, 2003 at 5:00 P.M. regarding the Bixby Knolls Parking and Business Improvement Area Assessment Program for October 1, 2003 through September 30, 2004.

ACTION: Adopted Resolution No. C-28225. (Webb/Colonna) (7/0 Unanimous) (Absent: Carroll,Richardson)

23. DEPARTMENT: LAW

SUBJECT: Resolution modifying the membership of the Project Area Committee for the Central Long Beach Redevelopment Project. (Doc. 49)

SUGGESTED ACTION:

Adopt Resolution.

ACTION: Adopted Resolution No. C-28226. (Colonna/Lowenthal) (7/0 Unanimous) (Absent: Carroll,Richardson)

NEW BUSINESS:

24. Paul Chesney, submitted communication regarding police activity in the vicinity of 1845 Locust Avenue. (Doc. 50)

ACTION: Received and made a part of the permanent record.

25. Gary Biggerstaff, submitting communication regarding proposal for Long Beach to host the 2007 Superbowl. (Doc. 51)

ACTION: Received and made a part of the permanent record.

26. Bill Bishop, submitting communication regarding use of disabled placards. (Doc. 52)

ACTION: Received and made a part of the permanent record.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity given to citizens to address the City Council on non-agenda items who have not already addressed the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

Councilmember Webb requested that the City Council meeting adjourn in memory of Lauren Peck.

Councilmember Kell requested that the City Council meeting adjourn in memory of Irene Crochet.

Councilmember Colonna requested that the City Council meeting adjourn in memory of Sally Nesbit.

Adjournment: 8:00 P.M.

REMINDERS:

August 12, 2003, Housing Authority at 4:30 P.M.

Monday, August 18, 2003, Budget Oversight Committee at 5:30 P.M.

August 19, 2003, Continued hearing on application of James McRoy West, dba West's Place, for a Permit for Entertainment Without Dancing by Patrons at an Existing Bar/Tavern/Lounge at 1626 Orange Avenue. (District 6)

August 19, 2003, Hearing to consider Congestion Management Program. (Citywide)

August 19, 2003, Hearing on application of Shoreline Yacht Club for a Permit for a Social Club (new construction) at 386 Shoreline Drive South. (District 2)

NOTE: An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802. You may view the agenda or documents on the Internet at **www.longbeach.gov**. E-Mail correspondence can be directed to **cityclerk@longbeach.gov**. Agenda items may be reviewed in the City Clerk Department or the Government Publications Section of the Main Library and at Branch Libraries. Communicate through the Telephone Device for the Deaf (TDD) at (562) 570-6626. If a special accommodation is desired pursuant to the Americans with Disabilities Act, or if you need the agenda provided in an alternate format, please phone Renae Tyner at (562) 570-6472 in the City Clerk Department. Inquire at the City Council Chamber Audio-Visual Room for an assistive listening device.